
Op-Chart

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Pacts Americana?

WHAT can the incoming Democratic Congress do to help reverse the steep erosion of America's standing abroad, particularly the impression that the United States has disengaged from global problem-solving? Though the President dominates foreign policy, the Senate can make an impact in one significant area: by giving the required two-thirds majority vote to approve a raft of treaties awaiting action.

The Senate has before it more than two dozen treaties submitted for approval




by President Bush and his predecessors — some, in fact, were negotiated as long ago as the Eisenhower administration. These agreements are not like the Kyoto Protocol on climate change or the statute that established the International Criminal Court, which are too controversial even to be transmitted to the Senate.

Indeed, these are widely supported pacts, making it difficult to discern why many stalled in the first place: perhaps it's as simple as a senator's vague concerns about "sovereignty," a lack of domestic constituency or the press of other legislative business.

Early approval of key agreements in areas of great international concern, like the environment and the laws of war, would show the world that the United States is committed to solving global problems. To hit the point home, the Senate should act within the first six months of the next Congress. Quick approval for most is eminently doable.

There is a pressing need to repair America's image now, even while the Democratic Congress and the White House battle over the future of Iraq policy. Approving treaties from the list below would make a good start. □

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 TREATY	 DESCRIPTION	CONCLUDED	SENT TO SENATE	NUMBER OF PARTIES	 OBSTACLES TO APPROVAL?
Hague Convention on the Protection of Cultural Property in Time of Armed Conflict	Obligates governments during war to protect cultural property, like historic monuments. (Using these monuments for military purposes does cause them to lose their immunity from attack.)	1954	1999	116	<i>Critics during the cold war complained that the convention could be abused by the Soviet Union — to protect the Kremlin, for instance. The U.S. military already adheres to the principles laid out in this convention.</i>
Additional Protocol II to the 1949 Geneva Conventions	States that basic humanitarian rules that apply in international conflicts should also apply in civil wars.	1977	1987	162	<i>President Ronald Reagan submitted the protocol in part to mollify critics after his decision not to submit the broader Additional Protocol I of 1977, which applies in international conflicts. No serious objections.</i>
Convention on the Elimination of All Forms of Discrimination Against Women	Defines discrimination against women and commits governments to take measures to end it.	1979	1980	185	<i>Critics have asserted that principles in the treaty are inconsistent with the Constitution's federal structure. They also oppose subjecting U.S. compliance to the convention's oversight body.</i>
Incendiary Weapons Protocol to the Convention on Conventional Weapons	Regulates the use of incendiary weapons like napalm, and reaffirms fundamental rules barring attacks on civilians.	1980	1997	92	<i>Pentagon analysts believe that in very specific circumstances, incendiary weapons would result in fewer civilian casualties and less damage than conventional explosives. A U.S. reservation would try to preserve such uses of these weapons.</i>
U.N. Convention on the Law of the Sea	Establishes a broad legal framework for commercial, navigational and environmental aspects of use of the oceans.	1982	1994	152	<i>The Bush administration supports approval. Reagan-era concerns relating to commercial interests in mining the deep seabed have been resolved, but some critics express lingering unease about dispute settlement and "U.N. taxes."</i>
Convention on Biological Diversity	Provides a global framework for international cooperation on conservation and sustainable use of plants and animals.	1992	1993	190	<i>Ranching and farming groups originally raised concerns that the convention interferes with land-use freedoms. The position of the Bush administration is unclear.</i>
Convention on the Safety of U.N. and Associated Personnel	Makes attacks on U.N. peacekeepers an international crime punishable in or extraditable by any country.	1994	2001	81	<i>Initial concerns about the consistency of the convention with laws of war delayed its transmittal to the Senate, but the Bush administration has supported ratification. Now, it seems to be a simple matter of inertia.</i>
Blinding Lasers Protocol to the Convention on Conventional Weapons	Prohibits the use of laser weapons designed to cause permanent blindness.	1995	1997	83	<i>This protocol was modeled on Pentagon policy, but Human Rights Watch says that U.S. "dazzling" laser weapons contravene the spirit of the treaty, which may have given the Pentagon pause.</i>
Inter-American Convention Against the Illicit Manufacturing of and Trafficking in Firearms, Ammunition, Explosives and Other Related Materials	Establishes a framework for cooperation for governments in the Western Hemisphere to help prevent illicit production and trafficking in such weapons.	1997	1998	26	<i>Unclear; perhaps suspicion among gun-rights groups relating to international agreements that impose limits on firearms.</i>
Stockholm Convention on Persistent Organic Pollutants	Requires parties to ban or restrict production and use of 12 toxic chemicals (the "dirty dozen"), and provides a means to restrict more chemicals over time.	2001	2002	136	<i>The 12 chemicals are essentially phased out in the U.S. already, but environmental groups and industry differ over how U.S. law should treat chemicals that will be added to the treaty in the future.</i>
Amendment Expanding Scope of Convention on Conventional Weapons	Expands to all civil wars and domestic conflicts basic rules governing the use of certain conventional weapons that previously applied only in international conflicts.	2001	2006	49	<i>No discernible objections to this treaty, a U.S. initiative that spanned the Clinton and Bush administrations.</i>
Explosive Remnants of War Protocol to the Convention on Conventional Weapons	Obligates governments to protect civilians from unexploded ordnance left on a battlefield.	2003	2006	27	<i>No discernible objections.</i>